

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE BANKRUPTCY MATTER OF:

Joseph Teluch

Debtor

Chapter 13 No. 19-25468

Judge Carol A. Doyle

OBJECTION TO CONFIRMATION OF PLAN

Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2, (“Movant”), through its attorneys, Kluever & Platt, LLC, files this, its Objection to Confirmation of Plan, (“Objection”) and in support thereof, states the following as Movant’s:

1. Debtor filed the instant Bankruptcy case on 9/09/2019.
2. This Court has jurisdiction over this Objection as this Objection is a core proceeding.
3. Movant is the holder of the note secured by a mortgage on the property commonly known as 220 S Roselle Rd, Schaumburg, IL 60193, (“the Subject Property”).
4. Fay Servicing, LLC is the servicing agent for Movant.
5. Movant’s pre-petition arrears claim is \$20,478.96.
6. Debtor’s Chapter 13 Plan of Reorganization, (the “Plan”), provides that the Trustee disburse the sum of \$13,000.00 to cure Movant’s pre-petition arrears claim.
7. Accordingly, the Plan impermissibly modifies the rights of the Movant to receive all funds due it, thereby violating 11 U.S.C. § 1322(b)(2) and 11 U.S.C. § 1322(b)(5).

WHEREFORE, Movant requests this Court enter an Order denying confirmation of the Plan and for such other relief as the Court Deems just.

Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2

/s/ Mark Johnson

Mark Johnson ARDC# 6284911
Counsel for Movant

Date: 10/11/2019

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